

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Jerome H. Lemelson  
Robert D. Pedersen  
Tracy D. Blake

ART UNIT:  
EXAMINER:

SERIAL NO.:

FILED: March 3, 2000

TITLE: System and Method for Enhancing Speech Intelligibility for the  
Hearing Impaired

Assistant Commissioner for Patents  
BOX PATENT APPLICATION  
Washington, D.C. 20231

Certification Under 37 C.F.R. § 1.10

I hereby certify that this paper is being deposited  
this 3<sup>rd</sup> day of MARCH, 2000 in an  
envelope as "Express Mail Post Office to Addressee,"  
label number 5610550731US addressed to  
Assistant Commissioner of Patents and Trademarks, Box Patent  
Application, Washington, D.C. 20231." By: J. Hester

DECLARATION

Dear Sir:

As the below-named inventors, we hereby declare that:

1. TYPE OF DECLARATION

This declaration is for a new regular application.

2. INVENTORSHIP IDENTIFICATION

Our name, residence, post office address, and citizenship are as stated below:

Name:	Jerome H. Lemelson
Citizen of:	United States
Resident of:	Incline Village, Nevada
Post Office Address:	PMB #284 930 Tahoe Boulevard, #802 Incline Village, Nevada 89451

Name:	Robert D. Pedersen
Citizen of:	United States
Resident of:	Dallas, Texas
Post Office Address:	7808 Gleneagle Drive Dallas, Texas 75248

Name: Tracy D. Blake  
Citizen of: United States  
Resident of: Scottsdale, Arizona  
Post Office Address: 14641 North 49<sup>th</sup> Place  
Scottsdale, Arizona 85254

We believe we are the original, first, and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled: "System and Method for Enhancing Speech Intelligibility for the Hearing Impaired."

3. ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims and any preliminary amendment filed concurrently.

We acknowledge the duty to disclose information that is material to the examination of this application in accordance with 37 C.F.R. § 1.56(a).

4. DECLARATION

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

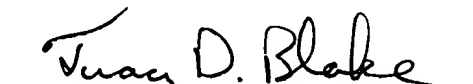
Dated: March 2, 2000

(deceased-completed on added page)  
Jerome H. Lemelson

Dated: March 2, 2000

  
Robert D. Pedersen

Dated: March 2, 2000

  
Tracy D. Blake

I, Dorothy Lemelson, hereby declare that:

My name, residence, post office address and citizenship are as stated below:

Name:	Dorothy Lemelson
Citizen:	United States
Resident of:	Incline Village, Nevada
Post Office Address:	Unit 802, Suite 286 930 Tahoe Boulevard Incline Village, Nevada 89451

I am executing and signing the declaration to which this is attached as executrix of the last will and testament of Jerome H. Lemelson, whose name, residence, post office address, and citizenship are as stated on the first page of this document.

That upon information and belief, I aver those facts that the inventor is required to state.

Dated: March 2, 2000

  
\_\_\_\_\_  
Dorothy Lemelson

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Robert D. Pedersen  
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Assistant Commissioner for Patents  
BOX PATENT APPLICATION  
Washington, D.C. 20231

**EXECUTRIX'S PROOF OF AUTHORITY**

Dear Sir:

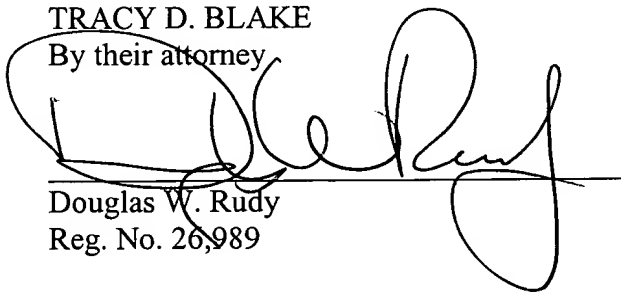
The enclosed Certificate of Ownership and Assignee's Power of Attorney and the enclosed Declaration has been signed by the executrix of the estate of Jerome H. Lemelson. Attached as Exhibit A is the Letters Testamentary showing that Dorothy Lemelson was duly appointed as executrix of said estate. The attached should serve as the proof of authority required by 37 CFR 1.44.

If there are any questions, please feel free to telephone applicants' undersigned attorney.

Respectfully submitted,

JEROME H. LEMELSON  
ROBERT D. PEDERSEN  
TRACY D. BLAKE

By their attorney

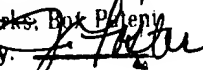
  
\_\_\_\_\_  
Douglas W. Rudy  
Reg. No. 26,989

DOUGLAS W. RUDY  
14614 North Kierland Boulevard  
Suite 300  
Scottsdale, Arizona 85254  
(480) 948-3295

Dated: March 3, 2000

**Certification Under 37 C.F.R. § 1.10**

I hereby certify that this paper is being deposited  
this 3rd day of MARCH, 2000 in an  
envelope as "Express Mail Post Office to Addressee."  
label number EJ310550731US addressed to

AST Commissioner of Patents and Trademarks, Box Patent  
Application, Washington, D.C. 20231." By: 

Assignment

1. "Intellectual Property Rights" means all inventions, discoveries, improvements, modifications, specifications, models, algorithms, source codes, object codes, documentation, trade secrets, secret processes, technology, know-how, patents, patent applications, service marks, trademarks, trademark applications, copyrights, copyright registrations, works of authorship or other creative works, ideas, knowledge or data, however expressed, which Jerome H. Lemeison, in whole or in part, individually or jointly with others, conceived, created, developed, made first reduced to practice, or acquired during his life, to the extent not already transferred to the Partnership during his life.

2. Pursuant to the Court Order dated May 13, 1999, the Estate of Jerome Lemelson hereby assigns and transfers to the Lemeison Medical, Education & Research Foundation, Limited Partnership, a Nevada limited partnership, together with any successor, assign, legal representative, or designated nominee ("the Partnership"), the entire right, title, and interest of the Estate of Jerome Lemelson in and to all Intellectual Property Rights.

Signed at Incline Village, Nevada this 14 day of June, 1999, by the undersigned.

THE ESTATE OF JEROME LEMELSON

By: Dorothy Lemelson  
Dorothy Lemelson  
Title: Executrix of the Estate of Jerome Lemelson

ASSIGNMENT

Pursuant to Court Order dated May 13, 1999, the Estate of Jerome Lemelson hereby assigns and transfers to the Lemelson Medical, Education & Research Foundation, Limited Partnership, a Nevada limited partnership, together with any successor, assign, legal representative, or designated nominee, the Jerome Lemelson Estate's entire right, title, and interest in and to (1) any U.S. Patent or patent application filed or to be filed in the U.S. Patent Office to which Mr. Lemelson is or will be listed as an inventor or co-inventor, including all continuations, divisions, continuations-in-part, reissues, reexamination certificates, foreign counterparts, or international applications based in whole or in part on any such patents or applications, (2) the right to make any subsequent applications in Mr. Lemelson's name based on any invention made by Mr. Lemelson before his death, and (3) all of Mr. Lemelson's or the Estate's rights to sue for infringement (including the right to recover damages and obtain any and all other relief) of any patents that issue from any Lemelson patent application.

Signed at Incline Village, this 14 day of June ~~May~~, 1999, by the undersigned.

THE ESTATE OF JEROME LEMELSON

By: Dorothy Lemelson  
Dorothy Lemelson, Executrix of the  
Estate of Jerome Lemelson

OATH

STATE OF NEVADA )  
 ) ss.  
COUNTY OF WASHOE )

I, DOROTHY LEMELSON, do solemnly swear that I will support, protect and defend the Constitution and government of the United States, and the Constitution and government of the State of Nevada, against all enemies, whether domestic or foreign, and that I will bear true faith, allegiance and loyalty to the same, any ordinance, resolution or law of any state notwithstanding, and that I will well and faithfully perform all the duties of the office of executor on which I am about to enter; so help me God.

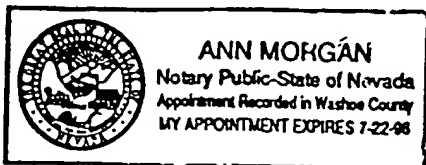
DATED this 29 day of October, 1997.

Dorothy Lemelson  
DOROTHY LEMELSON

Subscribed and sworn to before  
me this 29 day of October, 1997.

Ann Morgan  
NOTARY PUBLIC

JUDI BAILEY  
CLERK OF THE COURT



By \_\_\_\_\_  
DEPUTY CLERK

1 Case No. CV97-06767

2 Dept. No. 9

FILED

'97 OCT 29 A9:09

JUDI BAILEY, CLERK

8 J. Berchem  
DEPUTY

6 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

8 IN AND FOR THE COUNTY OF WASHOE

9 IN THE MATTER OF THE ESTATE

10 OF

LETTERS TESTAMENTARY

11 JEROME H. LEMELSON,

12 Deceased.

13 \_\_\_\_\_ /  
14 STATE OF NEVADA )  
15 ) ss.  
16 COUNTY OF WASHOE )

17 The Last Will and Testament of JEROME LEMELSON, deceased,  
18 having been duly admitted to summary probate in said Court, DOROTHY  
19 LEMELSON, who is named therein, was, by said Court, on the 29th day  
20 of October, 1997, duly appointed Executrix, and, having qualified  
21 as such, is hereby authorized to act by virtue thereof.

22 In testimony whereof, I have officially  
23 signed these letters and affixed hereto  
24 the Seal of said Court, this 29 day  
25 of October, 1997.

26 By order of the Court

27 JUDI BAILEY  
28 CLERK OF THE COURT

By J. Berchem  
DEPUTY CLERK



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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label number EJ210550731US addressed to

ASST "Commissioner of Patents and Trademarks, Box Patent  
Application, Washington, D.C. 20231." By: [Signature]

**CERTIFICATE OF OWNERSHIP AND ASSIGNEE'S POWER OF ATTORNEY**

Dear Sir:

The limited partnership that is the assignee of all rights under this patent application hereby assumes prosecution of this application pursuant to 37 C.F.R. §§ 3.71 and 3.73 and MPEP § 324.

The Lemelson Medical, Education & Research Foundation Limited Partnership, a Nevada limited partnership ("Foundation Partnership") certifies that it is the assignee of the entire right, title, and interest in this patent application, identified in the caption, by virtue of a assignments from the inventors.

Attached as Exhibit A is a true and correct copy of a one-page assignment dated June 14, 1999, which assigns from the Estate of Jerome Lemelson to the Foundation Partnership any U.S. Patent or patent application filed or to be filed in the U.S. Patent Office to which Mr. Lemelson is or will be listed as an inventor or co-inventor. Attached, as Exhibit B, is a true and correct copy of a one-page assignment dated June 14, 1999, which

assigns from the Estate of Jerome Lemelson to the Foundation Partnership the entire right, title, and interest of the of the Estate of Jerome Lemelson in and to all Intellectual Property Rights.

Although the assignments above are not recorded in the Patent Office, MPEP 324 permits an assignee to establish ownership "by submitting to the Office copies of the documentary evidence of a chain of title from the original inventor to the assignee."

The undersigned has reviewed all documents in the chain of title of this patent application, including the assignments, and, to the best of the undersigned's knowledge and belief, title is in the Foundation Partnership.

The undersigned states that she is an officer of the Lemelson Educational & Research Corporation, a Nevada Corporation and is empowered to act on behalf of the Lemelson Educational & Research Corporation. The Lemelson Educational & Research Corporation is the general partner of the Foundation Partnership and is empowered to act on behalf of the Foundation Partnership.

Assignee hereby appoints Louis J. Hoffman, Reg. No. 38,918; Steven G. Lisa, Reg. No. 30,771; Peter C. Warner, Reg. No. 36,994; Douglas W. Rudy, Reg. No. 26,989; and Edwin A. Suominen, Reg. No. 43,174; to prosecute this application and to transact all business in the Patent and Trademark Office connected with this application.

Send correspondence to:

DOUGLAS W. RUDY  
14614 North Kierland Boulevard  
Suite 300  
Scottsdale, Arizona 85254

Direct telephone calls to:

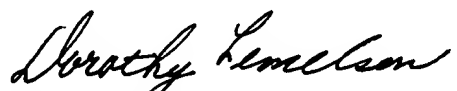
Douglas W. Rudy  
(480) 948-3295

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: March 3, 2000

Lemelson Medical, Education & Research Foundation,  
Limited Partnership

by Lemelson Educational & Research  
Corporation, General Partner

  
by Dorothy Lemelson, President